

LAWS

OF THE

STATE OF NEW HAMPSHIRE,

PASSED JANUARY SESSION, 1899.

LEGISLATURE CONVENED JANUARY 7, ADJOURNED MARCH 11, 1899.



MANCHESTER, N. H.
ARTHUR E. CLARKE, PUBLIC PRINTER.
1899.

CHAPTER 180.

AN ACT TO AUTHORIZE THE TOWN OF CLAREMONT TO PROCURE BY PURCHASE, OR UNDER THE POWER OF EMINENT DOMAIN, OR PUT IN A WATER SUPPLY.

SECTION

1. Town may construct water-works; privileges granted.
2. Eminent domain.
3. Contracts and tolls; management.

SECTION

4. Raising of money.
5. Holding of stock or bonds of water company.
6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened :

Town may
construct
water-works;
privileges
granted.

SECTION 1. That the town of Claremont is hereby authorized and empowered to purchase, construct, manage, maintain, and own suitable water-works for the purpose of obtaining and distributing through the village of said Claremont an adequate supply of pure water in subterranean pipes for the use of its citizens and for extinguishing fires and for other purposes; and for such purpose may take, purchase, and hold in fee simple or otherwise any real or personal estate, and any rights therein, and any waters and water rights, necessary for carrying into effect the purposes of this act, and may excavate and dig canals and ditches in any street, place, square, passway, common, or other place through which it may be deemed necessary and proper for building, extending, and maintaining said water-works, and may rebuild, relay, change, and repair the same at pleasure, having due regard for the safety of its citizens and the security of the public travel.

Eminent
domain.

SECT. 2. Said town of Claremont is authorized and empowered to enter upon, take, and appropriate, under the power of eminent domain, any existing water-works, and the property real or personal of any existing water-works company located within the limits of said town, and its lands, water rights, streams, springs, ponds, reservoirs, and rights connected therewith, and any other lands, streams, springs or ponds or rights that may be necessary in addition thereto to carry out the purposes of this act. In such taking and appropriation said town may apply to the supreme court for the county of Sullivan, at any trial term thereof, to have the same laid out and the damages determined, and the said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing, and give notice thereof and proceed in manner as now provided by law for laying out highways, and said commissioners shall make report to said court, and said court may issue execution accordingly. If either party shall desire, they shall be entitled to trial by jury in such manner and under such regulations

as the court may prescribe, in the same manner as appeals from the award of damages in case of laying out of highways.

SECT. 3. Said town is authorized and empowered to contract with individuals and corporations for supplying them with water and to make such contracts and to establish such regulations and tolls for the use of the water as may from time to time be deemed proper. For the management of said water-works, the said town may place them under the direction and control of a superintendent, or board of water commissioners, or both; such superintendent and board of water commissioners may be chosen by said town or appointed as it may direct.

SECT. 4. Said town is also authorized at any annual or special meeting, by a majority vote of those present and voting, to raise and appropriate, and to borrow or hire, such sums of money on the credit of the town as may from time to time be deemed advisable, for the purpose of defraying the expense of purchasing or taking, under the provisions of this act and the power of eminent domain, real estate, rights in real estate, water-works and water rights, streams, springs, ponds, and rights and property as aforesaid, and for constructing, extending, maintaining, and operating such water-works, and to issue notes or bonds of the town therefor, payable at such times and places and at such rates of interest not exceeding five per cent as may be thought proper, and to exempt such notes and bonds from taxation.

SECT. 5. Said town is also authorized to purchase and hold shares of the capital stock of any aqueduct or water-works company with which it may contract for its water-works or water supply, and may become the owner of the bonds and notes of such aqueduct or water-works company.

SECT. 6. This act shall take effect upon its passage.
[Approved March 1, 1899.]

Takes effect
on passage.

Contracts and
tolls; man-
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Raising of
money.

Holding of
stock or
bonds of wa-
ter company